

## Article - Criminal Law

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§10–131.

(a) A person may not distribute *Salvia divinorum* to an individual under the age of 21 years.

(b) In a prosecution for a violation of this section, it is a defense that the defendant examined the purchaser's or recipient's driver's license or other valid identification issued by an employer, a government unit, or an institution of higher education that positively identified the purchaser or recipient as at least 21 years of age.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding:

(1) \$1,000 for a first violation;

(2) \$2,000 for a second violation occurring within 2 years after the first violation; and

(3) \$6,000 for each subsequent violation occurring within 2 years after the preceding violation.

(d) For purposes of this section, each separate incident at a different time and occasion is a separate violation.

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